

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security

0 Assumption of Executory Contract or Unexpired Lease

0 Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

In Re: **Robert Conquest
Virginia Conquest**

Case No.: **17-12265**

Judge: **MBK**

Debtor(s)

CHAPTER 13 PLAN AND MOTIONS

☐ Original

☒ Modified/Notice Required

Date:

November 6, 2019

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☒ DOES ☐ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY
SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney BCT Initial Debtor: RC Initial Co-Debtor VC

Part 1: Payment and Length of Plan

a. The debtors have paid to date \$30,000.00 to the Chapter 13 Trustee, and having satisfied all provisions set fourth herein and those required under Title 11 U.S.C., respectfully submit that no further plan payments are required and that the case should be concluded.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☐ Future Earnings
☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property
Description:
Proposed date for completion: _____

☐ Refinance of real property:
Description:
Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:
Description:
Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

☒ NONE

a. Adequate protection payments will be made in the amount of \$ ____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).

b. Adequate protection payments will be made in the amount of \$ ____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: ____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
None		

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
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Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
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b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
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c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
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d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
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-NONE-					
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2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ NONE
 Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
<p>f. Secured Claims Unaffected by the Plan <input type="checkbox"/> NONE</p> <p>The following secured claims are unaffected by the Plan:</p> <p>Creditor BNKunted Feb GM Financial M&T Bank PNC Bank Sheffield Financial Co Specialized Loan Servicing</p>			

g. Secured Claims to be Paid in Full Through the Plan ☒ NONE

Creditor	Collateral	Total Amount to be Paid through the Plan

Part 5: Unsecured Claims ☐ NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☐ Not less than \$___ to be distributed *pro rata*

☐ Not less than ___ percent

☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☒ NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
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b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
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c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
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Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☒ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☒ **NONE**

If this Plan modifies a Plan previously filed in this case, complete the information below.
Date of Plan being modified: _____.

Explain below **why** the plan is being modified:

November 2019

Debtors retained new counsel following the dismissal of their case (the order of dismissal has since been vacated). Debtors' prior plan proposed a sale of real property. Due to difficulties in finding a buyer for the same, Debtors were proactive and obtained alternative financing to satisfy their obligations herein. Funds from the same have already been tendered to the standing Chapter 13 Trustee and distributed to creditors.

Explain below **how** the plan is being modified:

November 2019

All previous provisions calling for the sale of real property have been removed. Part 1 has been modified to reflect all funds paid to the Trustee.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10 : Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☐ NONE

☒ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Debtors respectfully submit that no further plan payments are required and that the case should be concluded.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to *Local Form, Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: November 6, 2019

/s/ Robert Conquest

Robert Conquest
Debtor

Date: November 6, 2019

/s/ Virginia Conquest

Virginia Conquest
Joint Debtor

Date: November 6, 2019

/s/ Bruce C. Truesdale

Bruce C. Truesdale
Attorney for the Debtor(s)

Certificate of Notice Page 7 of 8
 United States Bankruptcy Court
 District of New Jersey

In re:
 Robert Conquest
 Virginia Conquest
 Debtors

Case No. 17-12265-MBK
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 41

Date Rcvd: Nov 08, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 10, 2019.

db/jdb
 cr
 516651922 +Robert Conquest, Virginia Conquest, 4 Warner Drive, Hillsborough, NJ 08844-4111
 516727760 +BankUnited, N.A., 7815 N.W. 148 Street, Miami Lakes, FL 33016-1554
 516630752 +ACAR Leasing LTD d/b/a GM Financial Leasing, PO Box 183853, Arlington, TX 76096-3853
 516630753 +BankUnited, N.A., 7815 N.W. 148th Street, Miami Lakes, FL 33016-1554
 516820132 +Bby/cbna, 50 Northwest Point Road, Elk Grove Village, IL 60007-1032
 516630758 +Brnkunted Fsb, 7815 Nw 148th St, Miami Lakes, FL 33016-1554
 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 ++ICON EQUITIES, 23332 MILL CREEK DRIVE, SUITE 125, LAGUNA HILLS CA 92653-7911
 (address filed with court: Icon Equities, LLC, 9891 Irvine Center Drive, Suite 180, Irvine, CA 92618)
 516700618 +M&T BANK, PO BOX 1508, Buffalo, NY 14240-1508
 516825814 +PNC BANK N.A., PO BOX 94982, CLEVELAND, OHIO 44101-4982
 516630762 +Pnc Bank, 2730 Liberty Ave, Pittsburgh, PA 15222-4747
 516630763 +Pnc Bank, N.a., 1 Financial Pkwy, Kalamazoo, MI 49009-8002
 516630764 Portfolio Asset Group, c/o Phillips & Cohen Associates, Ltd., P.O. box 5790, Hauppauge, NY 11788-0164
 516630766 +Specialized Loan Servi, 8742 Lucent Blvd Ste 300, Highlands Ranch, CO 80129-2386
 516630768 +TD Bank USA NA, c/o Lyons Doughty & Veldhuis, PC, 136 Gaither Drive, Suite 100, Mount Laurel, NJ 08054-1725
 516630769 +Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673
 516630770 +Thd/cbna, Po Box 6497, Sioux Falls, SD 57117-6497
 516630771 +Trac/cbna, Po Box 6497, Sioux Falls, SD 57117-6497
 516653209 +U.S. Bank National Association,Trustee(See 410), c/o Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Nov 09 2019 00:05:08 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Nov 09 2019 00:05:05 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
 516679792 E-mail/Text: ally@ebn.phinsolutions.com Nov 09 2019 00:02:54 Ally Capital, PO Box 130424, Roseville MN 55113-0004
 516630751 +E-mail/Text: ally@ebn.phinsolutions.com Nov 09 2019 00:02:54 Ally Financial, 200 Renaissance Ctr, Detroit, MI 48243-1300
 516630754 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 09 2019 00:14:39 Capital One Bank Usa N, Po Box 30281, Salt Lake City, UT 84130-0281
 516638966 E-mail/Text: mrdiscen@discover.com Nov 09 2019 00:04:16 Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 516630755 +E-mail/Text: mrdiscen@discover.com Nov 09 2019 00:04:16 Discover Fin Svcs Llc, Po Box 15316, Wilmington, DE 19850-5316
 516630756 +E-mail/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM Nov 09 2019 00:04:43 Gm Financial, Po Box 181145, Arlington, TX 76096-1145
 516630759 +E-mail/Text: bncnotices@becket-lee.com Nov 09 2019 00:04:20 Kohls/capone, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
 516630761 E-mail/Text: camanagement@mtb.com Nov 09 2019 00:04:47 M&t Bank, 1 Fountain Plz Fl 4, Buffalo, NY 14203
 516881846 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Nov 09 2019 00:13:23 Portfolio Recovery Associates, LLC, c/o Best Buy Credit Card, POB 41067, Norfolk VA 23541
 516881459 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Nov 09 2019 00:13:24 Portfolio Recovery Associates, LLC, c/o Capital One Bank, N.A., POB 41067, Norfolk VA 23541
 516881829 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Nov 09 2019 00:12:18 Portfolio Recovery Associates, LLC, c/o The Home Depot Consumer, POB 41067, Norfolk VA 23541
 516881764 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Nov 09 2019 00:12:19 Portfolio Recovery Associates, LLC, c/o Tractor Supply Consumer, POB 41067, Norfolk VA 23541
 516763783 E-mail/Text: bnc-quantum@quantum3group.com Nov 09 2019 00:04:59 Quantum3 Group LLC as agent for, Icon Equities LLC, PO Box 788, Kirkland, WA 98083-0788
 517828735 +E-mail/Text: jennifer.chacon@spservicing.com Nov 09 2019 00:06:02 Select Portfolio Servicing, Inc., Bankruptcy Department, P.O. Box 65250, Salt Lake City, UT 84165-0250, Select Portfolio Servicing, Inc., Bankruptcy Department 84165-0250
 517828734 E-mail/Text: jennifer.chacon@spservicing.com Nov 09 2019 00:06:02 Select Portfolio Servicing, Inc., Bankruptcy Department, P.O. Box 65250, Salt Lake City, UT 84165-0250
 516636851 E-mail/Text: bankruptcy@bbandt.com Nov 09 2019 00:05:01 Sheffield Financial, PO Box 1847, Wilson, NC 27894-1847
 516630765 +E-mail/Text: bankruptcy@bbandt.com Nov 09 2019 00:05:01 Sheffield Financial Co, 2554 Lewisville Clemmons, Clemmons, NC 27012-8110

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 41

Date Rcvd: Nov 08, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

516630767 +E-mail/PDF: gecsedirecoverycorp.com Nov 09 2019 00:12:07 Synch/amazon, Po Box 965015, Orlando, FL 32896-5015
516852705 +E-mail/PDF: gecsedirecoverycorp.com Nov 09 2019 00:14:28 Synchrony Bank, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
516809604 +E-mail/Text: bncmailw-legal.com Nov 09 2019 00:05:19 TD Bank USA, N.A., C/O Weinstein & Riley P.S., 2001 Western Ave Ste. 400, Seattle, WA 98121-3132
TOTAL: 22

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516630757* +Gm Financial, Po Box 181145, Arlington, TX 76096-1145
516630760* +Kohls/capone, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096

TOTALS: 0, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 10, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 7, 2019 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Bruce C. Truesdale on behalf of Joint Debtor Virginia Conquest brucectruesdalepc@gmail.com, bctpcecf@gmail.com/r49787@notify.bestcase.com
Bruce C. Truesdale on behalf of Debtor Robert Conquest brucectruesdalepc@gmail.com, bctpcecf@gmail.com/r49787@notify.bestcase.com
Denise E. Carlon on behalf of Creditor Lehman XS Trust Mortgage Pass-Through Certificates, Series 2005-7N, U.S. Bank National Association, as Trustee dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Melissa N. Licker on behalf of Creditor DLJ Mortgage Capital, Inc. NJ_ECF_Notices@mccalla.com
Michael M Khalil on behalf of Debtor Robert Conquest mkhalil@atrbklaw.com
Michael M Khalil on behalf of Joint Debtor Virginia Conquest mkhalil@atrbklaw.com
Phillip Andrew Raymond on behalf of Creditor Select Portfolio Servicing, Inc. phillip.raymond@mccalla.com
Phillip Andrew Raymond on behalf of Creditor DLJ Mortgage Capital, Inc. phillip.raymond@mccalla.com
Robert P. Saltzman on behalf of Creditor BankUnited, N.A. dnj@pbslaw.org
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 12